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7037-405:JJE:350179 WEMHH/SB/21 (6/04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/009,004
	Filing Date	May 3, 2000
	First Named Inventor	Richard L. Gregory
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number 7037-405

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Renewed Petition Under 1.137(b) Petition for Revival Submission of Sequence Listing
Remarks also enclosed: diskette containing Seq. Listing and a paper copy the Sequence Listing		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	John J. Emanuele Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	June 15, 2005

Express Mail Label No. EV466816651US	Mailed: June 15, 2005
I hereby certify that this paper is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above, and is addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Signature of Person Mailing:	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



In re patent application of:) Examiner:
)
 Richard L. Gregory) Group Art Unit:
)
 Serial No. 10/009,004)
)
 Filed: May 3, 2000)
)
 METHODS AND COMPOSITIONS FOR)
 CONTROLLING DENTAL CARIES AND)
 RECOMBINANT SmaA POLYPEPTIDES)
 USEFUL FOR SAME) June 15, 2005

RENEWED PETITION UNDER 37 CFR 1.137(b)

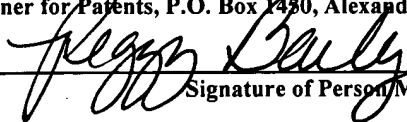
Office of Petitions
 Commissioner of Patents
 PO Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions for revival of the above-identified patent application. This Renewed Petition to Revive is being filed in response to the communication mailed May 4, 2005, notifying Applicant that the Applicant's Petition for Revival mailed on October 29, 2004 was dismissed. The earlier filed petition was dismissed for failure to include a required reply.

Express Mail Label No. EV466816651US Mailed: June 15, 2005

I hereby certify that this paper is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above, and is addressed to the Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


 Signature of Person Mailing

RENEWED PETITION UNDER 37 C.F.R 1.137(b)

Serial No. 10/009,004
 Inventor: Gregory, Richard L.
 Attorney Docket No. 7037-405
 Page 1 of 2

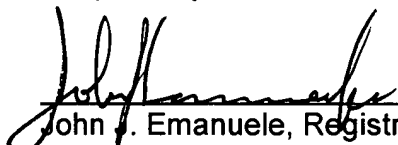
The required reply was a paper and electronic copy of a Sequence Listing. The filed Sequence Listing mailed on October 29, 2004 contained an error. The Applicant was given a period of 2 months, to correct defects in the petition including filing corrected paper and computer readable forms of the Sequence Listing and to request reconsideration of the Petition to Revive. A copy of the earlier filed Petition to Revive is enclosed.

A Notice of Abandonment mailed on November 3, 2003 indicated that this Application became abandoned for failure to file a required reply to a Notice of Missing Requirements mailed February 22, 2002 in a timely manner. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. Because the subject patent application was filed after June 8, 1995, no terminal disclaimer is required.

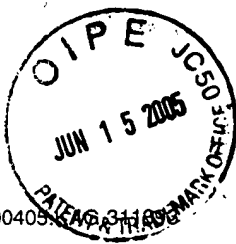
Also enclosed is a Submission of Sequence Listing in both paper and computer readable form in compliance with 37 CFR 1.821-1.825. No fees are believed to be due as the required petition fees were paid with the original Petition to Revive filed on October 29, 2004; however, if any fees are deemed to be required, the Commissioner is authorized to charge such fees to Deposit Account No. 23-3030, but not to include any issue fees.

Respectfully submitted,

By:



John J. Emanuele, Registration No. 51,653
Woodard, Emhardt, Moriarty, McNett & Henry LLP
Bank One Center/Tower, Suite 3700
111 Monument Circle
Indianapolis, Indiana 46204-5137
(317) 634-3456



007037-000405

I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231 on

October 29, 2004

(Date of Deposit)

Kenneth A. Gandy

Name of Registered Representative

Signature

October 29, 2004

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Richard L. Gregory

Serial No. 10/009,004

Filed: May 3, 2000

METHODS AND COMPOSITIONS
FOR CONTROLLING DENTAL
CARIES, AND RECOMBINANT SmaA
POLYPEPTIDES USEFUL FOR
SAME

Examiner:

Group Art Unit:

October 29, 2004

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Office of Petitions
Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions for revival of the above-identified patent application. A Notice of Abandonment mailed November 3, 2003 indicated that this application became abandoned for failure to file a required reply to a Notice of Missing Requirements mailed February 22, 2002 in a timely manner. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable

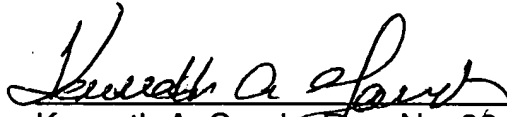
PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER CFR 37 1.137(b)
Serial No. 10/009,004
Inventor: Gregory, Richard L.
Attorney Docket No. 7037-405
Page 1 of 2

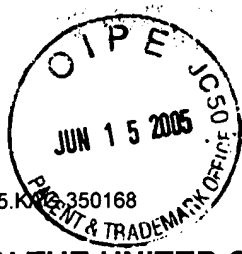
petition under 37 CFR 1.137(b) was unintentional. Because the subject patent application was filed after June 8, 1995, no terminal disclaimer is required.

The required petition fee is enclosed herewith. Also enclosed is a Submission of Sequence Listing to respond to the outstanding requirement for the same. Applicants thus request revival of this application.

Respectfully submitted,

By:


Kenneth A. Gandy, Reg. No. 33,386
Woodard, Emhardt, Moriarty, McNett
& Henry LLP
Bank One Center/Tower, Suite 3700
111 Monument Circle
Indianapolis, Indiana 46204-5137
(317) 634-3456



007037-000405.K 350168

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:) Before the Examiner: Vonda
Richard L. Gregory) Wallace
Serial No. 10/009,004) Group Art Unit:
Filed: May 3, 2000)
METHODS AND COMPOSITIONS FOR)
CONTROLLING DENTAL CARIES, AND)
RECOMBINANT SmaA POLYPEPTIDES)
USEFUL FOR SAME)

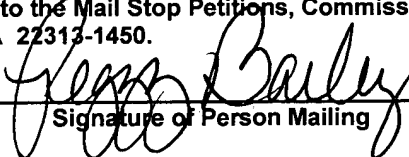
SUBMISSION OF SEQUENCE LISTING

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

IN THE SPECIFICATION

Please enter the paper Sequence Listing submitted herewith in lieu of the
Sequence Listing filed with the original application papers.

Express Mail Label No. <u>EV466816651US</u>	Mailed: <u>June 15, 2005</u>
I hereby certify that this paper is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above, and is addressed to the Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 _____ Signature of Person Mailing	

REMARKS

The applicant provides the enclosed disk containing the Sequence Listing in computer readable form (CRF). The content of the CRF is identical to the paper Sequence Listing also submitted herewith, which in turn is identical to the original Sequence Listing. The CRF includes no new matter.

Please provide any extensions which may be necessary and charge any fees that may be due to Deposit Account No. 23-3030, but not to include payment of any issue fees.

Respectfully submitted,

By:



John J. Emanuele

Reg. No. 51,653

Woodard, Emhardt, Moriarty,

McNett & Henry

Bank One Center/Tower, Suite 3700

111 Monument Circle

Indianapolis, Indiana 46204-5137

(317) 634-3456



SEQUENCE LISTING

<110> Gregory, Richard L.

<120> Methods and Compositions for Controlling Dental Caries,
and Recombinant SmaA Polypeptides Useful for Same

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